



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicant : Christopher Damien
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Examiner : Thomas C. Barrett
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Customer No.:
Title: Implantable Osteogenic Material

Confirmation No. 4697

AFFIDAVIT OF PRACTITIONER SUBMITTED WITH
RESPONSE TO FINAL OFFICE ACTION DATED NOVEMBER 21, 2003

Our File: 2026-00100
Date: December 22, 2003

Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

I, Marcella D. Watkins hereby state that I am the attorney of record for the applicant in the above-captioned case and that, to the best of my knowledge, the attached copy of U.S. Patent Application No. 09/545,441 consists of the same material that was incorporated by reference in the present application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

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